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CONDITIONS OF THE DETERMINATION OF THE FACT OF COMMON-LAW MARRIAGE IN COURT HEARING AND EVIDENCES TO PROVE IT

The article is devoted to the determination of the conditions of common-law marriage and the range of evidence, which often confirm this fact in court hearings. The author has analyzed Ukrainian legal acts and judicial practice and on this basis identified signs of common-law marriage, which is to be proved in court and is reflected in the relevant evidences. The author argues that Ukrainian legislation does not have clearly identifiable signs of common-law marriage, which can also

cause some difficulties in the process of confirming this fact in court.

The author comes to the conclusion that the fact of being in a common-law marriage can be proved by any admissible evidences. The law does not define and does not restrict their list. According to the analysis of court decisions in this type of cases such evidence like testimony of the parties, witnesses and written evidence are often used to confirm the fact of common-law marriage.